

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 625

Introduced by Pirsch, 4.

Read first time January 21, 2009

Committee: Judiciary

A BILL

1 FOR AN ACT relating to crimes and offenses; to amend section
2 28-101, Reissue Revised Statutes of Nebraska; to prohibit
3 the intentional exposure to another of a life-threatening
4 communicable disease; to harmonize provisions; and to
5 repeal the original section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 28-101, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 28-101 Sections 28-101 to 28-1350 and section 2 of this
4 act shall be known and may be cited as the Nebraska Criminal Code.

5 Sec. 2. (1) It is unlawful for an individual who knows
6 oneself to be infected with a life-threatening communicable disease
7 to intentionally, knowingly, or recklessly:

8 (a) Engage in sexual intercourse or sodomy with another
9 individual with the intent to expose that individual to that
10 life-threatening communicable disease;

11 (b) Sell or donate one's own organs, tissue, or blood,
12 blood products, semen, or other bodily fluids with the intent to
13 expose the recipient to a life-threatening communicable disease;
14 and

15 (2) Share with another individual a hypodermic needle,
16 syringe, or both for the introduction of drugs or any other
17 substance into, or for the withdrawal of blood or body fluids
18 from, the other individual's body with the intent to expose another
19 person to a life-threatening communicable disease.

20 (3) For purposes of this section:

21 (a) Sexual intercourse does not include penetration by
22 any object other than the male sex organ; and

23 (b) Sodomy does not include the penetration of the anal
24 opening by any object other than the male sex organ.

25 (4) Violation of this section is a Class IB felony.

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1 Sec. 3. Original section 28-101, Reissue Revised Statutes
2 of Nebraska, is repealed.